



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,141	07/20/2001	Peter Emig	0691-070	9859

23622 7590 04/23/2003

GOODWIN PROCTER L.L.P.
7 BECKER FARM ROAD
ROSELAND, NJ 07068

[REDACTED] EXAMINER

HABTE, KAH SAY

ART UNIT	PAPER NUMBER
----------	--------------

1624

DATE MAILED: 04/23/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

09/910,141 July 10, 2001 Peter Emig et al.

0691-070

EXAMINER

K. Habte

ART UNIT	PAPER
1624	13

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

DETAILED ACTION

The timely submission under 37 CFR 1.116 filed on 12/20/02 (Paper No. 12) is not fully responsive to the prior Office action because applicants did not provide a correct marked-up version of amended claims. Applicants have amended claim 1, but the marked-up version of the amendment shows deleted phrases that were not in the original claims at first place. For example, in the marked-up version of claim 1 it was indicated that the phrase “[preferably acetyl]” as deleted, but said phrase was not in the original claim. The term “preferably” was never recited in the original claim.

Also in claim 1, applicants also deleted the letter “a” from the phrase “or a a C₂₋₁₀ heteroaryl” to overcome a 2nd paragraph rejection (Paper No. 5, item 5b), but this change is not shown on the marked-up copy. It is required that applicants provide a correct copy of marked-up copy that show all changes made to the original claim 1, and only such changes.

Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kahsay Habte, Ph. D. whose telephone number is (703) 308-4717. The examiner can normally be reached on M-F (9.00AM- 5:30PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mukund Shah can be reached on 703-308-4716. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-4556.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1235.



Kahsay Habte, Ph. D.
Examiner
Art Unit 1624

KH
April 17, 2003



Mark L. Berch
Primary Examiner
Art Unit 1624